

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ALLAH,

Plaintiff,

v.

STATE OF WASHINGTON,

Defendant.

CASE NO. C20-189 MJP

MINUTE ORDER

The following minute order is made by the direction of the court, the Honorable Marsha J. Pechman, United States District Judge:

Plaintiff filed an application to proceed *in forma pauperis* in this matter on February 12, 2020. (Dkt. No. 3.) On February 13, 2020, the Clerk sent him a letter advising that his *in forma pauperis* application was deficient because he failed to complete the certification portion of the form and he failed to submit with his application a certified copy of his prison trust account statement. (Dkt. No. 4.) Petitioner was advised that if he failed to correct the noted deficiencies by March 16, 2020, this action would be subject to dismissal. (Id.) Rather than correct his *in*

1 *forma pauperis* application, petitioner elected instead to file an appeal to the Ninth Circuit. (Dkt.
2 5.) On April 20, 2020, the Ninth Circuit issued a formal mandate terminating Petitioner's
3 appeal. (Dkt. Nos. 9, 10.) On July 7, 2020, the Honorable Magistrate Judge Mary Alice Theiler,
4 finding that Petitioner had made no further effort to correct the deficiencies in his *in forma*
5 *pauperis* application, issued an R&R recommending that this action be dismissed for failure to
6 prosecute. (Dkt. No. 11.) Today, the Court received Petitioner's filing fee, rendering
7 Petitioner's Application to proceed *in forma pauperis* unnecessary. (Dkt. Nos. 2, 11.)

8 The matter is therefore re-referred to Magistrate Judge Theiler and the Report and
9 Recommendation (Dkt. No. 11) is termed as moot. Judge Theiler is requested to revisit the
10 matter and issue a new Report and Recommendation on Petitioner's pending motions.

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12 The clerk is ordered to provide copies of this order to Petitioner and all counsel.

13 Filed July 29, 2020.

14 William M. McCool

15 Clerk of Court

16 s/Grant Cogswell

17 Deputy Clerk
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